

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 23, 2022

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 23, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Tuesday, February 22, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

[**House File 2153**](#), a bill for an act relating to county jurisdiction over portions of certain cemeteries.

Read first time and referred to committee on **Local Government**.

[**House File 2154**](#), a bill for an act relating to release of certain records maintained by the statewide fire and police retirement system.

Read first time and referred to committee on **State Government**.

[House File 2166](#), a bill for an act designating certain county flood mitigation activities as an essential county purpose.

Read first time and referred to committee on **Local Government**.

[House File 2167](#), a bill for an act relating to the definition of autism spectrum disorder for purposes of certain health care coverage, making conforming changes, and including applicability provisions.

Read first time and referred to committee on **Commerce**.

[House File 2169](#), a bill for an act relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies.

Read first time and attached to **companion** [Senate File 2088](#).

[House File 2171](#), a bill for an act relating to the release of nursing facility reimbursement rates under the Medicaid program.

Read first time and attached to **companion** [Senate File 2258](#).

[House File 2172](#), a bill for an act relating to violations by a health care facility.

Read first time and attached to **similar** [Senate File 2168](#).

[House File 2201](#), a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions.

Read first time and attached to **companion** [Senate File 2242](#).

[House File 2202](#), a bill for an act relating to Medicaid program reporting requirements.

Read first time and referred to committee on **Human Resources**.

[House File 2217](#), a bill for an act relating to financial reporting by insurance holding company systems.

Read first time and attached to **companion** [Senate File 2237](#).

[House File 2222](#), a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel.

Read first time and attached to **companion** [Senate File 2185](#).

[House File 2239](#), a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse.

Read first time and attached to **companion** [Senate File 2253](#).

[House File 2252](#), a bill for an act relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry.

Read first time and attached to **companion** [Senate File 2171](#).

[House File 2258](#), a bill for an act relating to the membership, procedures, and functions of the Iowa council on homelessness.

Read first time and attached to **similar** [Senate File 2086](#).

[House File 2259](#), a bill for an act authorizing licensed occupational therapists, licensed physical therapists, and certain medical professionals licensed in other states to provide a statement for purposes of persons with disabilities special registration plates or parking permits, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

[House File 2288](#), a bill for an act modifying the definitions of essential county purpose and essential corporate purpose to include cybersecurity purposes.

Read first time and referred to committee on **Commerce**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced to the Senate chamber Adam Steen, the Governor's appointee to be the Director of the Department of Administrative Services. He was the guest of the committee on State Government.

BILLS REFERRED TO COMMITTEE

President Chapman announced that [Senate File 2314](#) and [Senate File 2347](#) be referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:09 a.m. until 10:00 a.m.

RECONVENED

The Senate reconvened at 10:06 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Zaun and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2322 and 2337.

Senate File 2322

On motion of Senator Brown, [Senate File 2322](#), a bill for an act relating to the assessment of fees when a person requests examination and copying of public records, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2322](#)), the vote was:

Yeas, 48:

| | | | |
|----------------|--------------|------------|------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dickey | Dotzler |
| Driscoll | Edler | Garrett | Giddens |
| Goodwin | Green | Guth | Hogg |
| Jochum | Johnson | Kinney | Klimesh |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Reichman | Rowley | Rozenboom |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, J. | Taylor, T. |
| Trone Garriott | Wahls | Whitver | Williams |

Nays, none.

Absent, 2:

| | |
|------|---------|
| Zaun | Zumbach |
|------|---------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2337

On motion of Senator Brown, [Senate File 2337](#), a bill for an act relating to third-party testers and test examiners for commercial driver’s license knowledge and driving skills tests, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2337](#)), the vote was:

Yeas, 48:

| | | | |
|----------------|--------------|------------|------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dickey | Dotzler |
| Driscoll | Edler | Garrett | Giddens |
| Goodwin | Green | Guth | Hogg |
| Jochum | Johnson | Kinney | Klimesh |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Reichman | Rowley | Rozenboom |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, J. | Taylor, T. |
| Trone Garriott | Wahls | Whitver | Williams |

Nays, none.

Absent, 2:

Zaun Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2322** and **2337** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2081, 2297, and 2362.

[Senate File 2081](#)

On motion of Senator Cournoyer, [Senate File 2081](#), a bill for an act relating to disbursements from the computer science professional development incentive fund and including applicability provisions, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2081](#)), the vote was:

Yeas, 48:

| | | | |
|----------------|--------------|------------|------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dickey | Dotzler |
| Driscoll | Edler | Garrett | Giddens |
| Goodwin | Green | Guth | Hogg |
| Jochum | Johnson | Kinney | Klimesh |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Reichman | Rowley | Rozenboom |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, J. | Taylor, T. |
| Trone Garriott | Wahls | Whitver | Williams |

Nays, none.

Absent, 2:

| | |
|------|---------|
| Zaun | Zumbach |
|------|---------|

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2297](#)

On motion of Senator Dawson, [Senate File 2297](#), a bill for an act relating to jury service disqualification for certain felons, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2297](#)), the vote was:

Yeas, 48:

| | | | |
|-----------|---------|---------|----------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dickey | Dotzler |

| | | | |
|----------------|--------------|------------|------------|
| Driscoll | Edler | Garrett | Giddens |
| Goodwin | Green | Guth | Hogg |
| Jochum | Johnson | Kinney | Klimesh |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Reichman | Rowley | Rozenboom |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, J. | Taylor, T. |
| Trone Garriott | Wahls | Whitver | Williams |

Nays, none.

Absent, 2:

Zaun Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2362](#)

On motion of Senator Cournoyer, [Senate File 2362](#), a bill for an act relating to entities supported in whole or in part by public moneys, including the sale of public bonds, the duties and responsibilities of school boards, school districts, the department of education, accredited nonpublic schools, charter schools, and children's residential facilities, and the membership and voting units of county and city conference boards, was taken up for consideration.

Senator Cournoyer offered amendment [S-5017](#), filed by her from the floor to pages 8–9 of the bill, and moved its adoption.

Amendment [S-5017](#) was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2362](#)), the vote was:

Yeas, 48:

| | | | |
|-----------|---------|---------|----------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dickey | Dotzler |
| Driscoll | Edler | Garrett | Giddens |

| | | | |
|----------------|--------------|------------|------------|
| Goodwin | Green | Guth | Hogg |
| Jochum | Johnson | Kinney | Klimesh |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Reichman | Rowley | Rozenboom |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, J. | Taylor, T. |
| Trone Garriott | Wahls | Whitver | Williams |

Nays, none.

Absent, 2:

Zaun Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2081, 2297, and 2362** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 103](#).

[Senate Concurrent Resolution 103](#)

On motion of Senator Whitver, [Senate Concurrent Resolution 103](#), a concurrent resolution to approve and confirm the appointment of Bernardo Granwehr as Ombudsman, with report of committee recommending passage, was taken up for consideration.

A record roll call was requested.

On the question “Shall the resolution be adopted? ([S.C.R. 103](#)), the vote was:

Yeas, 48:

| | | | |
|----------------|--------------|------------|------------|
| Bisignano | Bolkcom | Boulton | Brown |
| Carlin | Celsi | Chapman | Costello |
| Cournoyer | Dawson | Dickey | Dotzler |
| Driscoll | Edler | Garrett | Giddens |
| Goodwin | Green | Guth | Hogg |
| Jochum | Johnson | Kinney | Klimesh |
| Koelker | Kraayenbrink | Lofgren | Lykam |
| Mathis | Nunn | Petersen | Quirmbach |
| Ragan | Reichman | Rowley | Rozenboom |
| Schultz | Shipley | Sinclair | Smith, J. |
| Smith, R. | Sweeney | Taylor, J. | Taylor, T. |
| Trone Garriott | Wahls | Whitver | Williams |

Nays, none.

Absent, 2:

Zaun Zumbach

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate Concurrent Resolution 103](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:26 a.m. until 9:00 a.m., Thursday, February 24, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on February 23, 2022.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Wednesday, February 23, 2022, 9:10 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Brown, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Bolkcom, Zaun, and Zumbach (all excused).

Committee Business: Consider [SCR 103](#).

Adjourned: 9:15 a.m.

WAYS AND MEANS

Convened: Wednesday, February 23, 2022, 1:40 p.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and T. Taylor.

Members Absent: Zaun (excused).

Committee Business: Governor appointments [SF 590](#)–Dawson [SSB 3147](#) w/amendment–Dawson (pulled from agenda) [SSB 3063](#) w/amendment–Dawson [SSB 3130](#) w/amendment–Brown [HF 419](#)–Goodwin.

Adjourned: 2:00 p.m.

STUDY BILL RECEIVED

SSB 3153 Appropriations

Relating to appropriations to the judicial branch.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2300

LABOR AND BUSINESS RELATIONS: J. Taylor, Chair; Boulton and Guth

Senate File 2301

LABOR AND BUSINESS RELATIONS: Rowley, Chair; Boulton and Schultz

Senate File 2302

LABOR AND BUSINESS RELATIONS: Rowley, Chair; Boulton and Green

Senate File 2304

LABOR AND BUSINESS RELATIONS: Green, Chair; Driscoll and T. Taylor

Senate File 2314

WAYS AND MEANS: Goodwin, Chair; Dawson and Jochum

Senate File 2347

WAYS AND MEANS: Brown, Chair; Sweeney and T. Taylor

House File 2152

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

House File 2153

LOCAL GOVERNMENT: Driscoll, Chair; Hogg and Lofgren

SSB 3153

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: **SENATE CONCURRENT RESOLUTION 103**, a concurrent resolution to approve and confirm the appointment of Bernardo Granwehr as Ombudsman.

Recommendation: DO PASS.

Final Vote: Yeas, 8: Whitver, Chapman, Wahls, Brown, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Excused, 3: Bolkcom, Zaun, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 590](#), a bill for an act relating to the creation of land banks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and T. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 419](#), a bill for an act allowing counties to collect a fee for the issuance and renewal of driver's licenses and nonoperator's identification cards to persons who reside outside the county.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Dawson, Goodwin, Jochum, Brown, Dickey, Dotzler, Green, Schultz, Sinclair, R. Smith, Sweeney, and J. Taylor. Nays, 4: Bolkcom, Petersen, Quirmbach, and T. Taylor. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

WAYS AND MEANS

Samuel Eathington – Economic Development Authority

Aaron Burnett – Iowa Great Places Board

Danna Kehm – Iowa Great Places Board

Angel Wallace – Iowa Great Places Board

AMENDMENTS FILED

| | | |
|-------------------------------|----------------------------------|-----------------|
| <u>S-5017</u> | <u>S.F. 2362</u> | Chris Cournoyer |
| <u>S-5018</u> | <u>S.F. 493</u> | Jeff Taylor |
| <u>S-5019</u> | <u>S.F. 2086</u> | Carrie Koelker |
| <u>S-5020</u> | <u>S.F. 2323</u> | Tom Shipley |